

**FILED UNDER SEAL**

STATE OF MINNESOTA

ss.

AFFIDAVIT OF  
DOMINIC S. BATES

COUNTY OF HENNEPIN

**AFFIDAVIT IN SUPPORT AN APPLICATION  
FOR A COMPLAINT AND ARREST WARRANT**

I, Special Agent Dominic S. Bates, being duly sworn, state the following:

**INTRODUCTION AND AGENT BACKGROUND**

1. I am employed as a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), and have been so employed since December 2018. I am currently assigned to the St. Paul Field Division, where I am involved in various aspects of ATF enforcement programs, including investigations of violent criminals, criminal organizations, illegal use and trafficking of firearms, illegal use and storage of explosives, and acts of arson and bombings. Prior to joining the ATF, I went to a State of Illinois certified Police Academy and served as a Police Officer for the Village of Matteson, Illinois, for over three years in the Patrol Division.

2. In my capacity as a Special Agent with the ATF, my responsibilities include, but are not limited to, investigating firearms violations under Title 18 of the United States Code. During my time with the ATF, I have investigated multiple cases falling within the ATF's Arson and Explosives jurisdiction. I graduated from the 26-week combined Criminal Investigator Training Program at the Federal Law Enforcement Training Center and the Special Agent Basic Training at the ATF National Academy. I have received significant amounts of training on the subject-

matter within the ATF's jurisdiction, including courses in criminal investigations, federal firearms violations, federal arson laws, and federal explosives laws.

3. The facts in this affidavit are based on my personal observations, my training and experience, evidence gathered pursuant to search warrants, and information obtained from other agents, law enforcement, and witnesses. This Affidavit is intended to show merely that there is sufficient probable cause for the requested complaint and arrest warrant and does not set forth all of my knowledge about this matter.

4. This affidavit is being submitted in support of the criminal complaint for MOHAMED HUSSEIN ABDI. Based on my training and experience and the facts set forth in this Affidavit, I respectfully submit that there is probable cause to believe that ABDI has committed arson in violation of 18 U.S.C § 844(i).

#### **PROBABLE CAUSE**

5. On May 25, 2020, George Floyd died while in the custody of the Minneapolis Police Department. The nature and circumstances of Mr. Floyd's arrest, subsequent death, and the actions of the Minneapolis Police Department came under intense public scrutiny. Almost immediately following Mr. Floyd's death, public protests began in Minneapolis and began expanding throughout the Twin Cities metro area. In the days that followed, in addition to peaceful protests, the Cities of Minneapolis and St. Paul, and some surrounding communities, endured violence and destruction. This violence included numerous arsons in the cities of Minneapolis and St. Paul.

6. On May 28, 2020, an individual, later identified as MOHAMED ABDI, started a fire at the Gordon Parks High School located at 1212 University Avenue West, St. Paul, Minnesota ("Gordon Parks"). The fire was started in the cafeteria of the school. Gordon Parks suffered damage from the fire and from other acts committed by persons known and unknown, such as broken windows.

7. On May 28, 2020, surveillance cameras inside Gordon Parks captured footage of ABDI and another individual, Jose Felan, Jr., intentionally setting a fire in the cafeteria of Gordon Parks High School. ABDI is a black male who can be seen in the video wearing a baseball hat with the words "USA BASKETBALL," glasses, a dark colored t-shirt as a face mask, a white tank top, and black Adidas pants with three white stripes going down the sides. Felan is a Latino male who can be seen wearing a gray baseball cap, a gray t-shirt, jeans, and a light-colored messenger bag across his shoulder.

8. At approximately 6:05 p.m., the footage shows ABDI and Felan outside a door in the Gordon Parks cafeteria that opens out to the street. Felan breaks the glass on the cafeteria entry door, and ABDI kicks at the glass door, removing most of the glass from the door.

9. Footage from approximately 6:05 p.m. through 6:08 p.m. shows ABDI reaching through the broken bottom pane of glass and pouring a clear liquid from a white container on the floor by the door. After pouring the liquid, ABDI enters the cafeteria and runs out of the frame of the surveillance camera. Felan can still be seen on camera, and he reaches through the broken glass to open the cafeteria door and

enter the cafeteria. At this same time, ABDI comes back into frame pulling a trashcan on wheels and pouring more clear liquid from a white bottle into the can. ABDI continues pouring the liquid as he walks away from the trashcan, appearing to leave a trailer of clear liquid behind him. ABDI exits the cafeteria and gives the white container to Felan. Felan drops the container on the ground outside the cafeteria door.



Figure 1: Felan (left) at the broken cafeteria door with Abdi (right) pouring liquid into the rolling trashcan.

10. ABDI then kneels down by the entrance to the cafeteria and through the broken glass— possibly attempting to light the clear liquid previously poured. Felan then walks into frame with what appears to be a tee shirt or sweater, and gives it to ABDI. ABDI picks up the white container that Felan had dropped on the ground and begins pouring clear liquid from that container onto the garment. ABDI reaches through the broken glass door and places the garment on the floor of the cafeteria.

Felan then approaches the door, removes another white container from his messenger bag, and begins pouring some of the chemical outside of the cafeteria door and on the garment that is lying on the cafeteria floor. Felan then caps the container and returns it to his messenger bag.

11. ABDI is observed reaching through the broken glass and touching a small open flame to the liquid-soaked garment. As the garment catches fire, ABDI throws it further into the cafeteria near the wheeled trashcan that he doused with accelerant, but the area does not ignite. ABDI then enters the cafeteria, again lights the garment on fire, and drops it in the trashcan. At that point, an open flame erupts from the trashcan. ABDI then grabs the trashcan by the handle and turns it on its side. Immediately upon the trashcan being turned on its side, an open flame and black smoke is observed coming from the trashcan. ABDI then exits and run east/northeast from the cafeteria door.

Figure 2: Abdi outside the cafeteria door with the ignited garment



Figure 3: Abdi dropping the ignited garment into the trashcan



Figure 4: Open flame emanating from the trashcan that has been tipped over as Abdi heads for the door

12. On June 6, 2020, ATF Certified Fire Investigators (CFI) examined Gordon Parks and recovered several pieces of evidence. CFI William Fulton noted that items located at this fire scene were consistent with items located the fire scene at the Goodwill retail store across the street at 1239 University Ave West, where Felan was observed starting a fire several minutes prior to the Gordon Parks fire.

13. Gordon Parks High School is a facility that is used in and affects interstate commerce. Specifically, Gordon Parks High School is a school in the Saint

Paul School District that receives federal funding from the United States Department of Education through Title I of the Elementary and Secondary Education Act. According to the website for Saint Paul Public Schools, “Title I is the United States Federal Government’s largest education program to support public schools.” According to the Gordon Parks website, Title I “ensures increased and improved educational opportunities for all students.” Title I funds can be used to “provide interpreters, translate school information into families’ first language, provide transportation to academic meetings and school activities, provide tutoring, and additional academic supports.”

14. Through investigation, several videos and pictures of ABDI were obtained at various locations, at various times throughout the civil unrest in St. Paul, Minnesota, on May 28, 2020. The figures below depict a few of these images.





*Figures are numbered clockwise from top left.*

Figures 5 and 6: Images of Abdi holding a cellphone.

Figure 7: Abdi and Felan outside the Gordon Parks cafeteria door.

Figure 8: Abdi kicking through a glass window at an unknown location.

15. A local law enforcement officer was shown a picture of the arsonist where his face is visible. This officer has had several interactions with ABDI and recognized and identified the arsonist as ABDI.

16. Law enforcement was also able to find the Instagram account for ABDI, which had the username of "smvma1." Your affiant is familiar with



Instagram, which is a social media site where users can share and post pictures, videos, and “stories.” Your affiant further knows that “stories” are posted by the account user/holder, and the “stories” are available to view for only 24 hours from when they are posted. Your affiant further knows that Instagram allows users to have their “profile” (Account) to be set for public or private view. If a profile is set for private view, only account users whom the account holder has approved can view the accounts pictures, videos or stories.

17. Your affiant observed that ABDI’s Instagram account was public, and only had three pictures posted on the account for public view. The most recent posting is from June 21, 2020, and shows ABDI on a bench wearing a baseball hat with the caption, “Heard it all Seen it all Just wanna ball.”



**Figure 9:** Abdi's June 21, 2020, Instagram post

18. Your affiant observed that the above hat is manufactured by Mitchell & Ness, a clothing company that specializes in sportswear. According to their website, [www.mitchellandness.com](http://www.mitchellandness.com), the hat is a 1992 USA Basketball Snapback II Team USA hat. This hat appears to be the same one worn in ABDI's recent Instagram photograph and in the footage taken from the Gordon Parks fire.



Figure 10 (left): Photograph from [www.mitchellandness.com](http://www.mitchellandness.com) showing the 1992 USA Basketball Snapback II Team USA hat

Figure 11 (bottom left): Portion of Figure 9 showing hat.

Figure 12 (bottom right): Portion of Figure 8 showing hat



### CONCLUSION

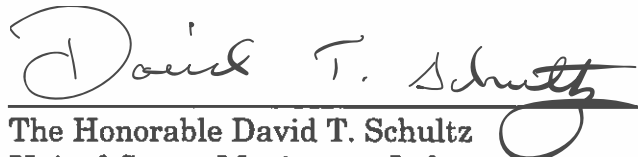
19. Based on these facts, I believe there is probable cause that ABDI has violated Title 18, United States Code, Section 844(i), in that he maliciously damaged by means of fire Gordon Parks High School, a building used in interstate commerce, located at 1212 University Avenue West, St. Paul, Minnesota.

Further your affiant sayeth not.

Respectfully submitted,

  
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Dominic Bates, ATF Special Agent

SUBSCRIBED and SWORN before me  
by reliable electronic means (FaceTime and  
email) pursuant to Fed. R. Crim. P. 41(d)(3) on  
June 26, 2020:

  
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The Honorable David T. Schultz  
United States Magistrate Judge